

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Timothee, Pol, Jean Tourny

Application No.: 10/568,250

Confirmation No.: 9696

Filed: November 21, 2006

Art Unit: 2877

For: Device and Method for the Non-Invasive Detection
and Measurement of the Properties of a Medium

Examiner: Michael A. Lyons

RESPONSE TO FINAL OFFICE ACTION DATED SEPTEMBER 11, 2009

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

In the office action, claims 1-6, 8-14, and 16-29 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-7, 9-18, and 20-31 of U.S. Patent No. 7,450,237. As the '237 patent is commonly owned with the above-identified application, a Terminal Disclaimer in compliance with 37 CFR 1.321(c) and executed by the Applicants' Agent is submitted herewith. Accordingly, Applicants respectfully submit that the rejections of claims 1-6, 8-14, and 16-29 based on the ground of nonstatutory obviousness-type double patenting must be withdrawn, and that the currently pending claims are in condition for allowance and respectfully solicit the same. Should the Examiner have any questions, he is invited to call the undersigned agent.

Dated: December 8, 2009

Respectfully submitted,

By

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